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Paper No. 11

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Chicago IL 60680

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APR 22 2002

OFFICE OF PETITIONS

In re Application of :
Jared Schutz and David McCarter :
Application No. 09/847,644 :
Filed: May 2, 2001 :
Attorney Docket No. Proflowers -P2-01 :
Title: GENERATING A COURIER :
SHIPPING LABEL OR THE LIKE, :
INCLUDING AN ORNAMENTAL :
GRAPHIC DESIGN, AT NON-COURIER :
PRINTER :

DECISION GRANTING STATUS
UNDER 37 C.F.R. §1.47(a)

This is in response to the renewed petition under 37 CFR §1.47(a)¹, filed December 14, 2001.

The petition under 37 C.F.R. §1.47(a) is **GRANTED**.

The above-identified application was filed on May 2, 2001, without an executed oath or declaration and identifying David McCarter and Jared Schutz as joint inventors. Accordingly, on May 29, 2001, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" was mailed, requiring an executed oath or declaration in compliance with 37 CFR §1.63. This Notice set a two-month period for reply.

The original petition was dismissed² for failure to include an acceptable oath or declaration. With the present petition, the petitioner has rectified this shortcoming.

¹ A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application;
- (3) a statement of the last known address of the non-signing inventors;
- (4) proof that diligent efforts have been made to locate the non-signing inventor;
- (5) a declaration which complies with 37 CFR 1.63.

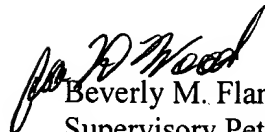
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

It is noted that petitioner has submitted a three-month extension of time. This extension of time is unnecessary since the papers filed on February 20, 2002 (with a certificate of mailing dated February 11, 2002) will be treated as a supplement to the paper (declaration) filed on December 14, 2001. This fee has not been charged to petitioner's deposit account.

After this decision is mailed, the application will be forwarded to Technology Center 2600 for further processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

² The original petition was filed on August 22, 2001. The decision on the original petition was mailed on September 13, 2001.



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Dear Mr. McCarter:

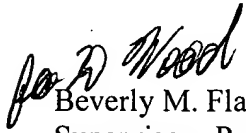
You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Paul Shanowski at (703) 305-0011. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to

In re. GENERATING A COURIER SHIPPING LABEL
OR THE LIKE, INCLUDING AN ORNAMENTAL
GRAPHIC DESIGN, AT NON-COURIER PRINTER

the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington
D.C.
area).



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